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EXAMINER

FOSTER, ROLAND G

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 04/09/2003

20

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/374,408

Applicant(s)

ANDREWS, CHRISTOPHER C.

Examiner

Roland G. Foster

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 1/30/03.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13-43 and 48 is/are rejected.
- 7) ☒ Claim(s) 12 and 44-47 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

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**DETAILED ACTION**

***Response to Amendment***

The applicant's amendment, received on Jan. 30, 2003 as Paper No. 19, was effective to overcome the prior 35 U.S.C. § 112 rejection. Accordingly, this rejection has been withdrawn.

***Response to Arguments***

Generally, the applicant's arguments contain many general and conclusionary statements about what the applied prior art "does not teach" that fail to specifically rebut the examiner's *prima facie* case and that fail to provide the examiner notice on where and how the applicant considers the applied prior art to have failed. However, the examiner addresses the following applicant's remarks which are based, at least to some extent, upon specific arguments.

On page 5 of the amendment, the applicant argues with respect to claims 17-19 that:

Bobo [U.S. Patent No. 5,676,509] does not teach that a message is directly accessible using an independently accessible address: To access the message in the system of Bobo, a user must first log into their voice mailbox, select the appropriate anchor and then select the message. Within the system of Bobo, the user cannot directly access a message without going through their mailbox.

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Although the applicant's arguments have been duly considered, they are not deemed fully persuasive. First it should be noted that claim 17 fails to expressly recite an "independently accessible address." However, the applicant has chosen to expressly recite independently accessible address in other independent claims (e.g. claim 1). Therefore, applicant's conduct (claim structure) facially indicates that this is a narrower feature that is expressly claimed when appropriate, and should not limit (i.e., be read into) broader claims.

Nonetheless, nothing in Bobo supports the applicant's sweeping conclusion that the user cannot directly access a message without going through their mailbox. Bobo discloses that a system that provides a user mailbox access to messages stored on a WWW server, but Bobo never forecloses on the possibility that there are other, unsecured ways to access messages stored on a WWW server.

Further, the applicant is mixing the concepts of independent accessibility and secure access (e.g., through a mailbox). The URL associated with the recorded audio file "can be retrieved at the user's convenience at any time by connecting to the Internet....at virtually any location in the world"

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(Bobo, col. 18, lines 37-44). A URL (address) that is accessible via the WWW at any location in the world can certainly be considered an independently accessible address. Just because the user may have to provide a logon ID or password in order to access the address makes it no less independently accessible. For example, a first and second user who do not know each other share the corporate mailbox and thus have the same password. However, the first user accesses the URL using a web-enabled cellular telephone in Europe while the second user accesses the same URL five days later using a personal computer in Asia. By any normal sense, the users have just independently accessed the URL even though they had to provide a password for the purposes of mailbox security.

On page 5 of the amendment, the applicant argues with respect to claims 17-19 that Bobo does not teach that the new message will be included in e-mail notification and "[a]ccordingly, Bobo does not teach including the recorded audio file within a second file and sending the second file to the computer system for access."

Although the applicant's arguments have been duly considered, they are not deemed persuasive. Claim 17 recites

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broadly "sending the second file to the computer system for access by the user." This reads on the simple process of the user viewing the html file (second file) because the html file must be second to the user's computer before the user can view it on his computer. Nothing is recited in claims 17-19 about e-mail notification. Indeed, again the applicant has chosen to expressly recite e-mail features in other claims (e.g. claim 12). Therefore, applicant's conduct (claim structure) facially indicates that the sending of e-mail is a narrower feature that is expressly claimed when appropriate, and not limit (i.e., be read into) the broader claims.

On page 7, the applicant also argues that Bobo does not teach that the audio file is included within the second file, such as apparently when the unclaimed feature of e-mail notification is used (as discussed above).

Although the applicant's arguments have been duly considered, they are not deemed persuasive. Bobo teaches that the audio file is included within the second file through hypertext linking. This interpretation of the extremely broad term "within" is also consistent with the applicant's disclosed invention, which includes the audio file within the second file

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through hypertext linking (applicant's specification, Fig. 6, step 152). The interpretation is even consistent with the applicant's unclaimed feature of e-mail notification where the audio file is included within the second (e-mail) file through hypertext linking (applicant's specification, page 16, lines 24-28).

The applicants sets forth arguments with respect to Uppaluru (U.S. Patent No. 5,915,001) on pages 7-10 that involve the same substantive issues that are deemed unpersuasive for the same reasons as set forth above with respect to Bobo.

On pages 10-13, the applicant argues that the combination of Bobo in view of Internet Unleashed 1997 is not proper. The applicant hinges this argument on the allegation that the <BGSOUND> command is for some reason added to the message list page instead of the individual audio pages selectable from the list thus resulting in the messages being played as soon as the message list is viewed. However, the Office action makes clear that the <BGSOUND> would have been added to web pages with recorded audio files (i.e., link selectable pages from the message list). Therefore, the applicant's arguments are not deemed persuasive.

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The remaining arguments involve a repeat the same conclusionary statements and substantive issues that are deemed unpersuasive the same reasons as set forth above.

For the above reasons, the following rejections are repeated except where any new grounds of rejection is necessitated by the applicant's amendment to the claims.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2)



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voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 17-19, as they can best be understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Bobo, II (U.S. Patent No. 5,675,507) (Hereinafter "Bobo"), of record.

With respect to claim 17, the following paragraphs for additional details on how Bobo anticipates particular limitations in the claim.

"[A]. establishing a telephony connection between a telephony device and a call recording device" reads on Figs. 1 and 2, where a telephone call (telephony connection) is established between Telephone Set 26 (telephony device) and a call recording device (Message Storage and Delivery System) (MSDS 10).

"[B]. recording an audio communication transmitted over the telephony connection thereby establishing a recorded audio file" reads on Fig. 2, step 52 where the message is recorded and stored.

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"[C] including the recorded audio file within a second file, such that when the second file is accessed using the computer system, the recorded audio file is available for playback at the computer system" reads on col. 13, lines 5-15 where each audio html files (second file) includes an anchor to the actual audio file (i.e., 1.wav). Thus, the recorded audio file (e.g., 1.wav) is logically included within the audio html file (e.g., the voicelist.html file) (second file) as an anchor or link such that when the voicelist.html (second file) is accessed using the computer system, the 1.wav file (recorded audio file) is available for playback. Note that the broad limitation of a first file being "within" a second file does not require that the every aspect of the first file is contained within the second file, especially in the case of files, programs, and operating systems. For example, the first file may appear to be within the second file at the user interface level of an operating system or program yet the first file (or significant portions of the first file) are stored in an entirely different location on a disk (e.g., operating system file clustering). Note that is interpretation is also consistent with the applicant's specification which also indicates that including the audio file within a second file

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such as a web page or e-mail may be accomplished by including a hypertext link (anchor) (Fig. 6, step 152 and page 16, lines 24-28).

"[D] sending the second file to the computer system for access by a user" reads Bobo where the user at the computer system (PC 32) views the message list (e.g., Fig. 3) which implies that the second file (html) file is sent to the computer for display (access) by the user.

With respect to claim 18, the web server would serve the html file and anchored audio file (step of including is performed by a server).

With respect to claim 19, see Fig. 13 where the Internet Server 5 (server) is remote from the Computer 32 (computing system).

Claims 17 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Uppaluru (U.S. Patent No. 5,915,001) (Hereinafter "Uppaluru"), of record. Uppaluru teaches of a system for providing speech files that are accessible via the Internet. Significantly, Uppaluru also teaches of allowing

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users to make the speech files accessible (publishing the speech files) using a telephonic connection.

With respect to claim 17, the following paragraphs for additional details on how Uppaluru anticipates particular limitations in the claim.

"[A]. establishing a telephony connection between a telephony device and a call recording device" reads on col. 20, lines 4-10.

"[B]. recording an audio communication transmitted over the telephony connection thereby establishing a recorded audio file" reads on col. 21, lines 10-13.

"[C] including the recorded audio file within a second file, such that when the second file is accessed using the computer system, the recorded audio file is available for playback at the computer system" reads on Uppaluru where the recorded audio files are includes within the voice web "yellow pages" such that when the yellow page (second file) is accessed using a WWW browser (computer system) (col. 7, lines 20-21).

Note that is interpretation is also consistent with the

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applicant's specification which also indicates that including the audio file within a second file such as a web page or e-mail may be accomplished by including a hypertext link (Fig. 6, step 152 and page 16, lines 24-28).

"[D] sending the second audio file to the computer system for access by a user" reads on Uppaluru where the user is able to view the voice web "yellow page" at his computer therefore implying that the "yellow page" was sent to the user's computer for access (display) by the user.

With respect to claim 20, see col. 1, lines 33-67.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a),

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the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-7, 9-11, 13-16, 22-43, and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bobo, in view of Internet Unleashed 1997 (ISBN 1-57521-185-8) (Hereinafter "Internet Unleashed"), of record.

With respect to claim 1, the following paragraphs for additional details on how Bobo discloses particular limitations in the claim.

"[A]. establishing a telephony connection between a telephony device and a call recording device" reads on Figs. 1 and 2, where a telephone call (telephony connection) is established between Telephone Set 26 (telephony device) and a

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call recording device (Message Storage and Delivery System)  
(MSDS 10).

"[B]. recording an audio communication transmitted over the telephony connection thereby establishing a recorded audio file" reads on Fig. 2, step 52 where the message is recorded and stored.

"[C]. associating an independently accessible address with the recorded audio file, such that when the address is accessed using the computer system, the recorded audio file is transmitted to the computer system for playback" reads on Fig. 1, Fig. 3, step 62, Fig. 8, and col. 7, lines 25-31 where the user enters a URL (address) at a Computer with a hypertext browser 32 (computer system) to access the MSDS 10. The URL (address) is "associated" with the recorded audio file in that the URL is associated with the MSDS 10 mailbox where the recorded audio file is stored. The audio file is converted into a format appropriate for HTML linking, such as AU or WAV and transmitted to Computer 32 (computer system). See also col. 12, line 63 - col. 13, line 23. The phrase "independently accessible address" is extremely broad. For example, the URL (address) associated with the recorded audio file is an address

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independently accessible by any computer browser connected to the WWW. "[W]herein the recorded audio file is separately accessible using the independently accessible address" reads on col. 18, lines 35-56 where the recorded audio file is accessible via the WWW at "virtually any location in the world". An URL (address) that is accessible via the WWW at virtually any location in the world can be considered a separately and independently accessible address. For example, an "independent" computer is capable of "separately" "accessing" the recorded audio file somewhere else on the WWW. Once accessed, each message is separately accessible by using the anchors or links on the web page corresponding to the URL. (col. 12, line 63 - col. 13, line 23).

Bobo fails to specifically disclose that the "independently accessible address is unique to the recorded audio file." However, if just one audio file was associated with the URL because, for example, just one message was recorded in the user's mailbox, then the URL (independently accessible address) would be unique to the recorded audio file.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to



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associate just one of the audio files disclosed by Bobo with the URL (independently accessible address) disclosed by Bobo.

The suggestion/motivation for doing so would have been that the user frequently checks his or her mailbox and therefore frequently only has one message resides in the mailbox.

Although Bobo discloses that the audio file is accessible when the user accesses the URL (independently accessible address) via the selection of a link as discussed above, Bobo fails to disclose that the audio file is "directly" accessible when the user accesses the URL.

However, Internet Unleashed teaches that recorded audio files may be directly accessible when the user accesses the URL of a web page (p. 985, <bgsound> HTML command).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to add the direct access to the recorded audio file when the user accesses the URL (independently accessible address) as taught by Internet Unleashed to the web pages with recorded audio files (i.e., the link selectable pages) as taught by Bobo.

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The suggestion/motivation for doing so would have been to increase efficiency and user-friendliness by eliminating the step where the user must select recorded audio via a link when the user accesses the web page by instead simply playing the recorded audio file once the user views the page as is notoriously well-known in the art of multimedia web page design. Such a feature would have had particular advantages to Bobo where the user receives a "5 second" preview of the recorded audio files (col. 13, lines 17-21).

Claim 22 differs substantively from claim 1 in that claim 22 recites the means to perform the method steps of claim 1. Therefore, see the claim 1 rejection for any additional details. In addition, "a. means for establishing a telephone connection..." reads on Fig. 1, Telephone Set 26. "[B]. Means for recording..." and "c. means for storing..." reads on Fig. 1, MSDS (10).

Claim 30 differs substantively from claim 22 in that claim 30 recites a "circuit" and "systems" to instead of "means" as in claim 22. However, the "circuit" and "systems" reads on the

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"means" of claim 22. Therefore, the claim 22 rejection for any further details.

Claim 37 differs substantively from claim 1 in that claim 37 recites a "server" and "systems" to perform the method steps of claim 1. . Therefore, see the claim 1 rejection for any additional details. "[A]. a call processing and recording system" reads on Fig. 13, Central Processor (3). "[B]. a server coupled to the call processing and recording system" reads on Fig. 13, Internet Server 5. Note that Fig. 13 illustrates the various systems that comprise MSDS 10. See also col. 16, lines 47 - 67. "[c]. one or more computer systems" reads on Fig. 1, Computer 32.

Claim 48 differs substantively from claim 1 in that claim 48 recites that the file is played back to "each of one or more receiving users who access the address." This limitation reads upon Bobo where the message is played back to each of the one or more use who logs into the mailbox with the appropriate ID and password.

With respect to claim 2, see Fig. 13, Internet Server 5 and col. 17, lines 37-43.

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With respect to claim 3, see Fig. 8 and col. 12, line 63 - col. 13, line 23. Note that the address (URL) is accessed when the audio file is retrieved.

With respect to claims 4, 28, and 42, see col. 13, lines 10-15 where the user selects an anchor (hyperlink) to access a voice message (audio file). Although the anchor (hyperlink) may be a simple HREF command referring to the voice message (audio file), selecting the hyperlink would still result in the html address (URL) corresponding to user's mailbox on the Internet Server 5 being sent to Internet Server 5 in order for the browser to request and retrieve the voice message (audio file) from Internet Server 5.

With respect to claims 5, 25, 26, 33, and 34, see Fig. 1 where an Internet (data) connection is established between the Computer 32 and the MSDS 10 in order to play back recorded audio (col. 12, line 63 - col. 13, line 33).

With respect to claims 6, 29, 36, and 43, see col. 13, lines 10-15 and the claim 4 rejection above.

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With respect to claims 7, 24, 32, and 39, see Fig. 13 where the Internet Server 5 (server) is remote from the Computer 32 (computing system).

With respect to claim 9, the message storage process of Fig. 2 and message retrieval process of Fig. 3 are separated by time. The phrase "recorded audio file is first available for playback" is a broad term. For example, an audio file may be only considered "available" to the user when the user has established an Internet connection and successfully logged onto the MSDS 10 by entering a correct logon id and password. If the user is unable to log onto the MSDS 10, then the audio files are "unavailable" to the user.

With respect to claim 10, the user inherently has the ability to specify the "time" by simply deciding when to attempt to log onto the MSDS 10 (see the claim 9 rejection above) and review messages, such as immediately after the recording was made or after a lengthy delay period.

With respect to claim 11, a "location profile" is a broad enough phrase to correspond to the time zone that the MSDS 10 resides in because the time zone is a significant feature that

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helps to "profile" the location of MSDS 10. The time zone that the MSDS 10 is located in would in turn determine the "time" when remote users log onto the MSDS 10 from areas outside the time zone. As stated in the claim 10 rejection, the "time" that user logs onto the MSDS 10 specifies the range when the recorded audio file is first available for playback.

With respect to claim 13, see col. 8, lines 10-20 and col. 13, lines 16-18.

With respect to claim 14, the link is posted in a predetermined location, namely in the MSDS 10.

With respect to claim 15, see col. 13, lines 13-14.

With respect to claim 16, see Table 1 (col. 12, lines 30-53).

With respect to claims 23, 31, and 38, see Fig. 15, Storage (11).

With respect to claim 27, see Fig. 13, Internet Server (5).

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With respect to claim 35, see Fig. 15, Storage (11) where the html files are addressed via the Internet (30).

With respect to claim 40, see col. 6, lines 20-22.

With respect to claim 41, see Fig. 1.

Claims 1, 8, 22, 30, 37, and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uppaluru (U.S. Patent No. 5,915,001) (Hereinafter "Uppaluru"), of record, in view of Internet Unleashed. Uppaluru teaches of a system for providing speech files that are accessible via the Internet. Significantly, Uppaluru also teaches of allowing users to make the speech files accessible (publishing the speech files) using a telephonic connection.

With respect to claim 1, the following paragraphs for additional details on how Uppaluru discloses particular limitations in the claim.

"[A]. establishing a telephony connection between a telephony device and a call recording device" reads on col. 20, lines 4-10.

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"[B]. recording an audio communication transmitted over the telephony connection thereby establishing a recorded audio file" reads on col. 21, lines 10-13.

"[C]. associating an independently accessible address with the recorded audio file, such that when the address is accessed using the computer system, the recorded audio file is transmitted to the computer system for playback" reads on col. 21, lines 25-29 where a URL (address) is associated with the recorded audio files. See also col. 7, lines 13-67. The URL can then be accessed telephonically (col. 7, lines 28-39) or via a WWW browser (col. 7, lines 20-21). The phrase "independently accessible address" is extremely broad. For example, the URL address of Uppaluru associated with the recorded audio file is an address independently accessible by any computer browser connected to the WWW. "[W]herein the recorded audio file is separately accessible using the independently accessible address" reads on col. 7, lines 20-23 where the recorded audio file is accessible via the WWW at virtually any location in the world. An address that is accessible via the WWW at virtually any location in the world can be considered a separately and independently accessible address. For example, an independent



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computer is capable of "separately" "accessing" the recorded audio file somewhere else on the WWW.

Uppaluru fails to specifically disclose that the "independently accessible address is unique to the recorded audio file." However, if just one audio file was associated with the URL because, for example, just one message was recorded for each voice web page, then the URL (independently accessible address) would be unique to the recorded audio file.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to associate just one of the audio files disclosed by Uppaluru with the URL (independently accessible address) disclosed by Uppaluru.

The suggestion/motivation for doing so would have been that the user is entitled to make a design choice as to the content of each voice web page. Specifically, the user may choose to have the content of a voice web page be only one audio file. Such a choice would have increased file organization efficiency and simplicity by allowing the voice web user to simply associate a voice web page to a single audio file.

Although Uppaluru discloses that the audio file is accessible when the user accesses the URL (independently accessible address) as discussed above, Uppaluru fails to disclose that the audio file is "directly" accessible when the user accesses the URL.

However, Internet Unleashed teaches that recorded audio files may be directly accessible when the user accesses the URL of a web page (p. 985, <bgsound> HTML command).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to add the direct access to the recorded audio file when the user accesses the URL (independently accessible address) as taught by Internet Unleashed to the web pages with recorded audio files (i.e., the link selectable pages) as taught by Uppaluru.

The suggestion/motivation for doing so would have been to increase efficiency and user-friendliness by eliminating the step where the user must select a recorded audio link when the user accesses the web page by instead simply playing the recorded audio file once the user views the page as is

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notoriously well-known in the art of multimedia web page design. Such a feature would have had particular advantages to Uppaluru where the user is surfing through a voice web page system thereby resulting in considerable time savings and user convenience when all the voice web page are cumulatively viewed.

Claim 22 differs substantively from claim 1 in that claim 22 recites the means to perform the method steps of claim 1. Therefore, see the claim 1 rejection for any additional details. In addition, "[A]. means for establishing a telephone connection" reads on Fig. 1, Telephone Set 111. "[B]. means for recording" reads on Fig. 1, Voice and Telephony Interface 114 and col. 6, lines 23-30. "[C]. means for storing" reads on Fig. 1, Voice Web Site 102.

Claim 30 differs substantively from claim 22 in that claim 30 recites a "circuit" and "systems" to instead of "means" as in claim 22. However, the "circuit" and "systems" reads on the "means" of claim 22. Therefore, the claim 22 rejection for any further details.

Claim 37 differs substantively from claim 1 in that claim 37 recites a "server" and "systems" to perform the method steps

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of claim 1. . Therefore, see the claim 1 rejection for any additional details. "a. a call processing and recording system.." reads on Fig. 1, Voice and Telephony Interface 114. "b. a server coupled to the call processing and recording system.." reads on Fig. 1, Voice Web Site 102.

Claim 48 differs substantively from claim 1 in that claim 48 recites that the file is played back to "each of one or more receiving users who access the address." This limitation reads upon Uppaluru where the message is played back to each of the one or more user who log onto the voice web system.

With respect to claim 8, see col. 1, lines 33-67.

***Allowable Subject Matter***

Claims 12 and 44-47 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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***Examiner's Reasons for Allowance***

See pages 24 and 25 of the Office action, mailed on October 24, 2002 as Paper No. 18 for further details regarding the examiner's reasons for allowance.

The above reasons for allowance are based on the claims as presently set forth in their totality. The above reasons for allowance should not be interpreted as indicating that amended claims broadly reciting certain limitations discussed in the above reasons for allowance would be allowable. A more detailed reasons for allowance may be set forth in a subsequent Notice of Allowance if and when all claims in the application are put into a condition for allowance.

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**Conclusion**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roland Foster whose telephone number is (703) 305-1491. The examiner can normally be reached on Monday through Friday from 9:00 a.m. to 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan S. Tsang, can be reached on (703) 305-4895. The fax phone number for this group is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to customer service whose telephone number is (703) 306-0377.

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600



R.S.F.  
r.g.f.  
April 7, 2003